

REMARKS

Appendix A filed with the present application on November 16, 2000 includes the table "Index by Gene ID". This table includes traits conferred by the listed sequences when the sequences are knocked-out or overexpressed in plants. The table also includes numerous homologs discovered in public databases that are similar to the listed and originally claimed sequences. The traits and sequences found in Appendix A are a compilation of traits and sequences found in priority provisional application no. 60/164,132, filed November 17, 1999, no. 60/197,899, filed April 17, 2000, and no. 60/227,439, filed August 22, 2000; these traits and sequences may also be found in the links from the page "November 2000: Traits" to "November 1999 Traits", "April 2000 Traits" and "August 2000 Traits", respectively.

In a recent telephone conversation the Examiner was asked if the polynucleotide and polypeptide sequences in Appendix A may be appended to the Sequence Listing filed with the present application. The Examiner replied affirmatively as long as these sequences were present in Appendix A as originally filed. Applicants hereby affirm that the sequences added to the Sequence Listing in this amendment were present in Appendix A as filed.

Support for this amendment. The present patent application provides support for this amendment in the sequences found in Appendix A filed with the application.

Further support is provided by Claims 1 and 4 which specifically claim a "polypeptide comprising a sequence selected from *Appendix A*" or "a nucleotide sequence comprising a sequence selected from those of SEQ ID Nos. N-1, where N=1-109 or in *Appendix A*" (*emphasis added*).

This amendment is also supported in the specification on , for example, page 1, lines 27 to page 2, line 13, on page 4, lines 11-12, and on page 40, lines 29-30. The specification also states that "[a]ll references, publications, patents and other documents herein are incorporated by reference in their entirety for all purposes" (page 41, lines 22-23).

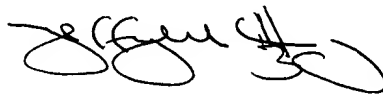
The Sequence Listing originally filed with the present application contained 109 sequences (SEQ ID NO: 1-109). The first 109 sequences of the Substitute Sequence Listing

(SEQ ID NO: 1-109) in the three attached CRF copies of the Substitute Sequence Listing are identical to the 109 sequences in the Sequence Listing as filed with the above-referenced application on November 16, 2000. The Substitute Sequence Listing also comprises additional sequences (SEQ ID NO: 110-1982) appended to the original 109 sequences of the Sequence Listing as filed. SEQ ID NO: 110-1982 are identical to sequences contained within Appendix A as filed with the present patent application on November 16, 2000.

The contents of the enclosed copies of the Substitute Sequence Listing in CRF are a compilation of and are identical to sequences contained in the Sequence Listing as originally filed with the present application, and in Appendix A as originally filed with the present application. Therefore, no new matter is added by the submission of this Substitute Sequence Listing in CRF.

Applicants believe that no fee is due with this response. However, if the Commissioner determines that any fee is due, the Commissioner is hereby authorized to charge Deposit Account No. 50-1025.

Respectfully submitted,



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